

Remarks

Claims 1-5, 8-17, and 19-27 are currently pending in this application, as set forth above.

The Office Action rejected claims 1-9, 11-17, 19-22, and 24-27 under 35 U.S.C. § 103(a) as being unpatentable over Wixon (U.S. Patent No. 4,230,590) in view of Fry et al. (U.S. Patent No. 5,360,567); and objected to claims 10 and 23, but indicated that these claims would be allowable if rewritten in independent form.

Applicants traverse the Section 103(a) rejection of the claims for the following reasons.

Specifically, the Office Action asserted that the “comprising” language of the claims does not exclude the soap in the soap cellulose ether mixture of Wixon because “comprising” leaves the claims open for inclusion of unspecified ingredients even in major amounts. The Office Action suggested “consisting of” language to overcome the disclosure of Wixon.

By this Amendment, Applicants have amended the claims to include the “consisting of” language suggested by the Office Action. Applicants have made these amendments solely to provoke an interference between the subject application and U.S. Patent No. 6,051,545, and any pending continuation or divisional applications thereof. Thus, Applicants reserve the right to make the claims broader after resolution of said interference.

In light of the above claim amendments, Applicants believe that pending claims 1-5, 8-17, and 19-27 are now in condition for allowance. Applicants, therefore, respectfully request reconsideration and withdrawal of the Section 103(a) rejection of claims 1-9, 11-17, 19-22, and 24-27.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered, placing claims 1-5, 8-17, and 19-27 in condition for allowance. Applicants submit that the proposed

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amendments to the claims do not raise new issues or necessitate the undertaking of any additional search of the art, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action.

Applicants further submit that the entry of the Amendment would place the application in better form for appeal, should the patentability of the pending claims be disputed.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application, and timely allowance of pending claims 1-5, 8-17, and 19-27. Since the claims are now in condition for allowance, Applicants reiterate their request to have an interference declared between the subject application and U.S. Patent No. 6,051,545, and any pending continuation or divisional applications thereof. Applicants will submit the Declaration regarding "Arbocel A1", as requested in the Office Action, once the pending claims are allowed.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 03-2775. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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